



**State of Louisiana**  
Louisiana Department of Health  
Bureau of Health Services Financing

**VIA E-MAIL ONLY**

May 6, 2021

Mr. Richard Born, CEO  
Aetna Better Health  
2400 Veterans Memorial Blvd, Suite 200  
Kenner, LA 70062

**RE: Notice of Monetary Penalty – NEMT Broker**

Dear Rick:

By Notice of Action dated February 24, 2020, Aetna Better Health (ABH) was notified of its requirement to provide non-emergency medical transportation to eligible enrollees in accordance with the terms of its contract with the Louisiana Department of Health (LDH), which provides:

6.23.3. NEMT/NEAT shall be provided to and from all medically necessary Medicaid state plan services (including carved out services) for those members who lack viable alternate means of transportation. NEMT/NEAT to non-Medicaid covered services is not a core benefit; it may be considered a cost effective alternative service if so approved by LDH per Section 6.27.

7.8.9. Non-Emergency Medical Transportation and  
Non-Emergency Ambulance Transportation

7.8.9.1. MCO shall have sufficient NEMT providers, including wheelchair lift equipped vans, to transport members to/from medically necessary services when notified 48 hours in advance.

7.8.9.2. For medically necessary non-emergent transportation requested by the member or someone on behalf of the member, the MCO shall schedule the transportation and require its NEMT/NEAT provider to arrive and provide services with

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sufficient time to ensure that the member arrives at least fifteen (15) minutes, but no more than one (1) hour, before the appointment; does not have to wait more than one hour after the conclusion of the treatment for transportation; is not picked up prior to the completion of treatment; and is not in the vehicle for more than one (1) hour in excess of the estimated travel time, as calculated by a mapping application, for each leg of the trip.

ABH was placed on notice that beginning April 1, 2020, a penalty may be assessed for each instance in which a transportation provider does not show up for a scheduled transport.

On April 14, 2021, LDH was contacted by a behavioral health facility, regarding the April 14, 2021, discharge for member, [REDACTED]. The transportation for the discharge was arranged by the facility with a transportation provider at 5:00 p.m. on April 13, 2021 with the request to set up transportation for the discharge at 10:00 a.m. on April 14, 2021. On April 14, 2021, ABH confirmed the "no show," stating that its broker was unable to find a provider to accommodate the trip.

Failure to adhere to the contract requirements cited herein warrants the assessment of a monetary penalty per occurrence per calendar day of non-compliance of \$5,000, as outlined in the contract between ABH and LDH. A total penalty in the amount of \$5,000 will be retained from the next monthly capitation payment made to ABH.

Should you have any questions, please do not hesitate to contact me.

Sincerely,



Stacy Guidry

Section Chief, Medicaid Program Operations and Compliance

SG/lj

cc: Michael Boutte  
Melanie Doucet  
Veronica Gonzalez  
Tara LeBlanc  
Marisa Naquin  
Justin Owens  
Kim Sullivan  
Christina Wilson  
AET2-35